UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE

June 4, 2015

Scott Mellen, President and CEO
WTE Recycling, Inc.
7 Alfred Circle
Bedford, MA 01730

Re: **Clean Air Act Testing Order** for WTE Recycling, Inc., Greenfield, MA

Dear Mr. Mellen:

The United States Environmental Protection Agency ("EPA") is evaluating whether WTE Recycling, Inc. ("WTE Recycling" or "the Facility") is in compliance with the Clean Air Act ("CAA" or "Act") and requirements promulgated under the Act at its facility located at 75 Southern Avenue in Greenfield, Massachusetts. These CAA requirements include the National Emission Standards for Hazardous Air Pollutants found at 40 CFR Part 63, and the Massachusetts federally enforceable state implementation plan.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

EPA is evaluating emissions of volatile organic compounds (VOC), particulate matter (PM), and hazardous air pollutants (HAP) from the shredding and processing of scrap metal at the Facility. Such emissions may trigger permitting and other CAA requirements. As a result, EPA is ordering WTE Recycling to test emissions from the Facility. Specifically, WTE Recycling shall test emissions from the shredding and materials separation operations, according to the procedures/methods described below.

Testing Order

WTE Recycling shall develop an emissions testing protocol for EPA approval, and shall subsequently conduct emissions testing of VOC, HAP, and PM emissions. To prepare for the emissions testing, WTE Recycling shall ensure that sufficient automobiles are available such that WTE Recycling can achieve maximum shredding throughput of automobiles for a full 8 hour period. In advance of the test, WTE Recycling must collect and prepare automobiles according to its normal procedures. Then, WTE Recycling will operate its shredder at the highest achievable throughput capacity for automobiles for a minimum of 8 hours.

1) To prepare for and conduct the emissions testing, WTE Recycling shall demonstrate that the enclosure around the primary shredding operation meets EPA Method 204. A continuous pressure monitoring recording device, or equivalent, shall be used to document negative pressure within the enclosure.

2) During the test period, WTE Recycling shall record process operating parameters including but not limited to:

   a) Conveyor speeds;

   b) Total tonnage of automobiles shredded; and

   c) Water flow rate to:
      i) The wet scrubber on the primary stack;
      ii) The water suppression system in the secondary cyclone; and
      iii) The water suppression system in the tertiary cyclone.

3) During the test period WTE Recycling shall utilize the following test methods (see 40 CFR Part 60, Appendix A).

   a) Methods 1-4 and Method 25A and/or other EPA approved methods to measure total gaseous organic compounds as VOC;

   b) Method 18, Method 320, Method TO-15, and/or other EPA approved methods to measure HAPs;

   c) Methods 1-4, Method 5, and Method 202 and/or other EPA approved methods to measure filterable and condensable particulate matter; and

   d) Methods 1-4 and Method 29 and/or other EPA approved methods to measure metals.

4) During the test period, WTE Recycling shall monitor emissions of VOC, HAP, and PM from all exhaust vents including those on the enclosure:

   a) for one hour prior to the test period to establish a baseline;

b) for the entire 8 hour test period; and

c) for a period of time after the test period until emissions return to baseline levels.

5) To conduct the monitoring described above WTE Recycling shall install a continuous flow measurement system to measure and record flow rates at vent locations.

6) During the test period, WTE Recycling shall also measure pressure drop across the primary Venturi scrubber as well as the primary, secondary, and tertiary cyclones.

WTE Recycling shall prepare for and conduct emissions testing according to the following schedule:

7) Within 30 days of the date WTE Recycling receives this letter, contact EPA's Bill Osbahr, at (617) 918-8389, to schedule a conference. At this conference, EPA will review with WTE Recycling the testing procedures, monitoring procedures, and testing methods described above and discuss the development of a testing protocol.

8) Within 60 days of the date WTE Recycling receives this letter, prepare and mail to EPA for review an emissions testing protocol that incorporates the procedures/methods described above.

9) Within 30 days of receiving EPA comments on the emissions testing protocol, WTE Recycling shall revise and resubmit the emissions testing protocol in accordance with EPA's comments or required changes. EPA shall approve, approve with conditions, or disapprove the revised emissions testing protocol in writing.

10) Within 30 days of the date EPA approves the protocol, WTE Recycling shall hold a pre-test meeting with EPA and schedule the testing date(s). The tests must take place no later than 60 days from the pre-test meeting.

11) Within 45 days of completing the tests, WTE Recycling must:

a) Submit complete test reports to EPA; and

b) Provide a list of any deviations in the negative pressure within the enclosure and detailed descriptions of the corrective actions taken.

Note that Attachment A to this Testing Order provides lists of required elements for pre-test protocols and test reports.

Be aware that if WTE Recycling does not provide the information required in this Reporting Requirement and Testing Order in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

Susan Studlien
US EPA Region 1
Mail Code OES04-2
5 Post Office Square Suite 100
Boston, Massachusetts, 02109-3912
Attn: Tom McCusker

If you have any questions regarding this Testing Order, please contact Tom McCusker at (617) 918-1862, or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship

cc: Christopher Pichette, WTE Recycling Inc.
Saadi Motamedi, MassDEP NERO